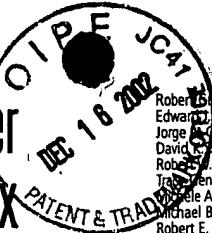




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3763

December 16, 2002

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Commissioner for Patents  
Washington, D.C. 20231

**Art Unit 3763**

Re: U.S. Utility Patent Application  
Appl. No. 09/769,439; Filed: January 26, 2001  
For: **Kit for Transvenously Accessing the Pericardial Space Via the Right Atrium**  
Inventors: Verrier *et al.*  
Our Ref: 1565.0020002/MBR/GSB

Sir:

**RECEIVED**  
**DEC 19 2002**

Transmitted herewith for appropriate action are the following documents TECHNOLOGY CENTER R3700

1. Reply To Restriction Requirement and Election of Species; and
2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
December 16, 2002  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,  
or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

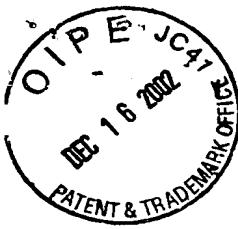


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Enclosures

SKGF\_DC1:83959.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10

In re application of:

Verrier *et al.*

Appl. No. 09/769,439

Filed: January 26, 2001

For: **Kit for Transvenously Accessing  
the Pericardial Space Via the  
Right Atrium**

Confirmation No.: 4394

Art Unit: 3763

Examiner: Ann Y. Lam

Atty. Docket: 1565.0020002

ARNEK  
12/20/02

**Reply To Restriction Requirement  
and Election of Species**

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DEC 19 2002

TECHNOLOGY CENTER R3700

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated November 19, 2002 (PTO Prosecution File  
Wrapper Paper No. 9), Applicants submit the following Response.

It is believed that extensions of time are not required beyond those that may otherwise be provided for in documents accompanying this Amendment. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

***Remarks***

In reply to the Office Action dated November 19, 2002 (Paper No. 9), requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby elect without traverse to prosecute the invention relating to the